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CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
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December 16, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Applicants: David A. Edwards, Giovanni Caponetti, Jeffrey S. Hrkach, Noah Lotan,  
Justin Hanes, Abdellaziz Ben-Jebria and Robert S. Langer  
Application No.: 10/090,418 Filed: March 1, 2002  
Confirmation No.: 8180  
Title: AERODYNAMICALLY LIGHT PARTICLES FOR PULMONARY  
DRUG DELIVERY  
Docket No.: 2846.1001-028 (US14)

Sir:

Please find enclosed two (2) Terminal Disclaimer, together with the requisite Statement under 37 C.F.R. §3.73(b), for filing in the above-referenced application.

The Statutory fee in the amount of \$220.00 for filing the disclaimers is attached. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 502807. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

By Anne I. Craig  
Anne I. Craig  
Registration No. 32,976  
Telephone: (978) 251-3509  
Facsimile: (978) 251-3973

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

In re Application of: David A. Edwards, Giovanni Caponetti, Jeffrey S. Hrkach, Noah Lotan,  
Justin Hanes, Abdellaziz Ben-Jebria and Robert S. Langer

Application No.: 10/090,418

Filed: March 1, 2002

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For: AERODYNAMICALLY LIGHT PARTICLES FOR PULMONARY DRUG DELIVERY

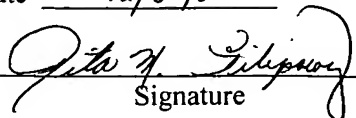
The owner, Massachusetts Institute of Technology and The Penn State Research Foundation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 5,874,064; 5,855,913; 6,436,443; 5,985,309; 6,503,480; and 6,254,854. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

The undersigned is empowered to act on behalf of the owner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date 12/8/03  
  
Signature

Rita M. Filipponi  
Typed or printed name

Date \_\_\_\_\_  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name

Massachusetts Institute of Technology

The Penn State Research Foundation

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Date \_\_\_\_\_

Date 11/4/03

\_\_\_\_\_  
Signature

Ronald J. Huss  
Signature

\_\_\_\_\_  
Typed or printed name

Ronald J. Huss

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Property Office

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The Penn State Research Foundation

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